



SURF CITY TOWN COUNCIL REGULAR MEETING MINUTES
Tuesday, February 5, 2019
Surf City Town Hall – 201 Community Center Drive

Council Present:

Dougals C. Medlin, Mayor
William J. (Buddy) Fowler, Mayor Pro-Tem
Nelva Ablury
Donald R. Helms
Teresa Batts
Jeremy Shugarts

- I. CALL TO ORDER – Douglas C. Medlin, Mayor
- II. INVOCATION – William J. (Buddy) Fowler, Mayor Pro-Tem
- III. PLEDGE OF ALLEGIANCE - Donald R. Helms, Councilman

IV. MAYOR'S REMARKS –

We ask that all in attendance please set your cell phones to silent or vibrate mode. The Council offers the public an opportunities to speak during the meeting. Comments should be limited to three minutes each and must be directly issue-oriented with agenda items for this meeting, or an issue upon which the Council has control.

Citizen speakers will be acknowledged in the order in which they sign up to speak and will address all comments to the Board as a whole and not one individual Council member. Speakers will address the Council from the speaker's podium at the front of the room and will begin their remarks by stating their name and address. Discussions between Speakers and members of the audience will not be allowed. Public comment is not intended to require the Council to answer any impromptu questions. Speakers are expected to be civil in their language and presentation. Any comments where the primary purpose is to promote business or candidacy shall not be allowed.

In accordance with the Council's adopted Rules of Procedures, Councilmembers shall reserve responses, if any, for the Council Forum on the agenda.

V. ADOPTION OF THE AGENDA -

Mr. Helms made a motion to approve the agenda as presented. Mr. Helms seconded the motion and it was carried.

VI. APPROVAL OF THE CONSENT AGENDA –

- 1. Approval of the Meeting Minutes- January

2. Resolution No. 2019-06 Opposing Insurance Rate Increase
3. NC Records Retention Schedule Update
4. Site Plan Preliminary Approval - Seahorse Estates
5. Resolution 2019 – 07 Surplus Property
6. Advisory Board Appointments – Planning Board & Board of Adjustment Chair

Mr. Helms made a motion to approve the consent agenda. Mrs. Albury seconded the consent agenda and it was carried.

VIII. GENERAL ITEMS-

7. Resolution on Directing the Clerk to investigate a petition for contiguous volunteer annexation and set a public hearing – 7.783 +/- Hwy 17 & Hwy 210

Mr. Helms made a motion to approve the resolution to direct the clerk to investigate the petition and set the public hearing. Mr. Fowler seconded the motion and it was carried.

8. Resolution 2019-01 – Municipal Solid Waste & Household Recycling Contract

Mrs. Loftis explained the town went out to bid for a solid waste and curbside recycling contract. Two bids were received, and both came in under budget for our current budget. Based on bids and references from other local municipalities Pink Trash is the recommendation.

Mr. Shugarts questioned the rolling back of carts being a force placed action.

Mrs. Loftis explained this is an option, but the ordinance would have to be amended.

Mr. Helms made a motion. Mr. Fowler seconded the motion and it was carried.

IX. PUBLIC HEARING –

9. Zoning Text Amendment – Section 5.18 Unbuildable Lots

Public Hearing Open 6:44pm

Mr. Durr asked if the ordinance is not followed who inspects these.

Mrs. Loftis explained that the Code Enforcement, Mr. Boonebumrung.

Mr. Norton explained his concerns on the mega decks, and how it is ironic that the town is working on beach nourishment but allowing decks to be built on the dunes. He

stated there are 145 un-buildable lots in Surf City, hence allowing 145 mega decks to be built.

Mrs. Norton explained the mega decks are not being watched over. She has a building permit with no signatures and CAMA has stopped issuing permits on these.

Mrs. Monroe asked about maximum height and allowances. She questioned the building of the decks and dune structures.

Mr. Giffis stated you cannot stop progress however, he has a grave concern for the construction of these decks. He spoke on how he believed the decks destroyed the dunes and vegetation.

Mr. Shoaf stated he owns two of these un-buildable lots and a house on 8th Street. He explained he has gotten all of his permits and it has been revoked. He stated he has done everything that has been ask of him. If CAMA allows it and they are in control of the beach for the whole state, then why could Surf City not allow it. He stated the Norton's are suing him and it has gotten personal that the Norton's only care about their view. He has had \$5,000 of lumber delivered to the lot and now the permit has been revoked and he can't build.

Closed Public Hearing 7:08pm

Mr. Helms made a motion to approve the ordinance amendment as presented. Mrs. Albury seconded the motion and it was carried unanimously.

X. PUBLIC COMMENT – Citizens have an opportunity to address the Council for no more than three minutes per speaker on topics which concern agenda items of this meeting.

Norma Yanez with Waste Industries stated she had made a mistake in her bid tabulations. She stated she could save the town about \$45,000 per year. She spoke on all of the new trucks, cans and software that Waste Industries could provide. She

stated they were willing to do all the other services as well. She asked for the contract to be rescinded and put back on next month.

Mr. AB Swindell 6th Street stated he previously worked with Waste Industries for many years and held a seat in Congress. He gave a recommendation to Mrs. Yanez and Waste Industries. He expressed his love for Surf City.

Patty Gilbride 8013 8th Street spoke on the agenda and the solid waste contract, she asked that the solid waste contract be pulled off and put back on at a later date.

Marcus Norton 1909 N. Shore Drive ask for the deck ordinance to be rescinded.

Tom Loughlin 2416 S. Shore Drive he explained he has started to receive phone calls from home owners who are not on the imminent critical lots list. He spoke on the new nourishment program and how to not put that possibility at risk.

Phil Durr 1714 N. New River Drive stated he has not seen anyone move forward since the hurricane. He questioned if there was a punch list for post hurricane cleanup.

Jack Solak 2408 S. Shore Drive stated he realized there were many important items going on but the most important issue in town is the beach. These dunes protect the life safety of the private home owners. He spoke on the high expense for the cost of sand replacement. He suggested getting a loan to pay the \$5 million.

Sandi Fixsen 66 E. Ridge questioned the trash and the second pick up during the seasonal months. Yes asked if the cans would be pink?

Derek Cohen 121 Fairytale Lane expressed his gratitude for putting the previous meeting online. He asked if there was any second opinion on the beach replacement.

Daniel Belvins 621 N. New River Drive stated the town has come a long way in a few months from talking about debris to trash. He thanked the staff and the Mayor. He requested council to move forward with replacing the dunes all throughout town. He stated that everyone benefits from the beach and that everyone should put in money to repair the beach.

XI. COUNCIL FORUM

Mrs. Batts stated that great communities don't just happen but become wonderful by those that giveback and good leadership. She thanked everyone who came out for the beach nourishment meeting last month. She encouraged everyone to contact NC Insurance commission and fight the 17.5 % proposed increase. She spoke on the current status of the Emergency Destructive Preparedness Plan and should be up at the March workshop for review by council. Mrs. Batts explained she is going to Washington DC next month to meet with our federal delegates and show how Topsail Island has been impacted by Hurricane Florence.

Mr. Fowler thanked everyone for coming. He spoke on the local government commission and how their regulations will not allow for a town to borrow money for beach nourishment, that it is just not seen in a good light. We do have the funds the \$5

million for the critical lots. Our engineer, TI Coastal, has identified these lots and they are listed online. He stated everyone would love to put the sand back town wide, but we can start here and work it in with our private project in 2020. Not having a large tax increase is very important to this board. He stated he was proud to be a part of this community and Surf City is strong.

Mrs. Albury stated she appreciated everyone and for their comments. She thanked Waste Management for providing services for so long.

Mr. Shugarts thanked the council members for their passionate comments. He thanked the public for their comments. He stated he has been working with the manager on hurricane assessment. He spoke on his beliefs of government and their enhancement of the community.

Mr. Helms thanked everyone for their comments. He gave the fire department updates. He too asked for support in contacting the NC Insurance commission in opposition to the 17.5% increase. He explained that the town is going just as fast as allowed in getting this beach back prepared.

Mayor a lot of people spoke and lots of it was true, we don't know that FEMA will give us all the money or when, but we live on faith. Sometimes the federal government is slow to operate, it could be 2020 to just get the \$5 million we have to spend back. He explained that the sand haul is just a bridge to the beach nourishment. He spoke on how Mrs. Batts is spearheading the emergency preparedness update and they have been and visited other places, looked at other plans and molding our plan on what others have experienced as well. He stated he was excited for the new trash contract and the new opportunities it will provide. Starting on February 15th the council will be going back to a previously used format and the workshops will be used for council discussion only and will not provide for public comment.

XII. MANAGER'S REPORT

Mrs. Loftis gave an update on beach accesses, and currently there are 10 completely open with more on the line. Staff has been meeting regarding with water and sewer upgrades and availability, and our emergency preparedness plan. These updates actually started before the storm, this is a large plan and we have hopes that this will come before council at the February work session. The new budget season is upon us and the budget calendar should be going out next week. Beginning this month work sessions will be a round table discussion. The town does have a code enforcement officer, he has been with the town for over a year now and was previously with the police department. We will be getting a FAQ sheet together regarding the code enforcement officer. The trash contract did not have to be put out to bid but the town choose to do so. The town accepted sealed bids in December, we do not have to take

the lowest bidder. Pink Trash came in with the best contract and the best municipal references.

XIII. TOWN ATTORNEY REPORTS

XIV. ADJOURNMENT

Mrs. Albury made a motion to adjourn. Mr. Fowler seconded the motion and it was carried.